

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE**

KEEGAN FOSTER, a minor, by natural mother
KODI LEE FOSTER and
KODI LEE FOSTER, Individually

Plaintiffs

vs.

PERICLIS ROUSSIS, M.D. AND
FORT SANDERS PERINATAL CENTER

Defendants

No. 3:01-CV-367
(Phillips/Guyton)

AGREED ORDER OF DISMISSAL WITH PREJUDICE

In this cause came the plaintiffs and the defendants, by and through counsel, and made it known to the court that they have reached agreement in this cause, that same has been compromised and should be dismissed, and the plaintiffs accordingly move the court that their suit be dismissed with prejudice, in bar of their right to reinstitute suit against defendants. Pursuant to Tenn. Code Ann. § 71-5-117(j), plaintiffs, through their counsel, further represent to the court that they and the State of Tennessee Bureau of TennCare ("TennCare") have by separate agreement agreed to a resolution and satisfaction of any subrogation claim by TennCare for all health care-related expenses arising out of health care which is the subject matter of this lawsuit, pursuant to which there shall be payment of an agreed sum of money to TennCare by the plaintiffs which shall fully and finally satisfy and release any subrogation claim by TennCare for all health care-related expenses as described above.

The court finds that the agreement between plaintiffs and TennCare with respect to the recovery and satisfaction of TennCare's subrogation claim complies with Tenn. Code Ann. § 71-5-117.

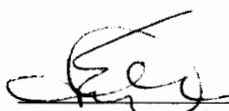
The Court having entered its Order Approving Settlement Involving a Minor and the parties announcing to the Court that all matters in controversy have been resolved, it is, therefore,

ORDERED, ADJUDGED and DECREED that the suit of the plaintiffs against the defendants be and the same is hereby dismissed with prejudice, in bar of the right of the plaintiffs to reinstitute suit against the defendants. It is further ORDERED that the plaintiffs and defendants shall not be entitled to and shall not recover any discretionary costs against each other, but any Court costs paid by the plaintiffs are to be reimbursed to them by defendants.

ENTER:



United States District Judge Thomas Wade Phillips

APPROVED FOR ENTRY:


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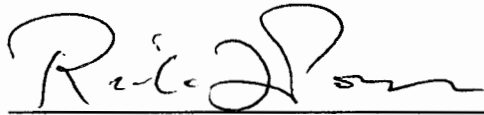
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